

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDGAR W. TUTTLE, ERIC BRAUN, and
THE BRAUN FAMILY TRUST by its co-
trustee ERIC BRAUN, on behalf of themselves
and all others similarly situated

Plaintiffs,

v.

SKY BELL MANAGEMENT, LLC, *et al.*,

Defendants.

No. C 10-03588 WHA

**ORDER REQUIRING SUBMISSION OF
SUPPLEMENTAL MATERIALS RE:
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

As stated at yesterday's hearing on the motion for preliminary approval of the proposed class action settlement, class counsel shall submit the following:

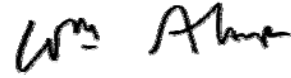
- (1) Transcript of the depositions of the two auditors, including the exhibits.
- (2) A statement by an expert, sworn to under oath (or a sworn statement by a non-expert, who can adequately address the issue) that addresses each claim in the complaint, as it relates to the auditors, and explains why each claim is not viable and would not result in recovery of damages in excess of what the damages expert has calculated.
- (3) Of the approximately \$150 million that was invested in the three limited partnerships at issue here, how much in total has been lost, regardless of the reason for the loss?

Please submit a response by **NOON ON MAY 4, 2012.**

This action was originally filed in state court. Defendant Rothstein Kass removed the action to this district. Jurisdiction was found pursuant to the Class Action Fairness Act, 28

1 U.S.C. 1332(d)(2). By **NOON ON APRIL 25, 2012**, the parties are ordered to show cause why
2 CAFA notice is not required.

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4 **IT IS SO ORDERED.**



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6 Dated: April 20, 2012.

7 WILLIAM ALSUP
8 UNITED STATES DISTRICT JUDGE
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